

**BEFORE THE ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY**

IN THE MATTER OF:)	CONSENT TO ENTRY OF
)	FINDINGS OF FACT, CONCLUSIONS OF
EUGENE H. PARDI, D.O.)	LAW AND ORDER ACCEPTING
Holder of License No. ²²²¹ 1546 for the)	SURRENDER OF LICENSE
practice of osteopathic medicine in the)	
State of Arizona.)	Case No. 2986
_____)	

STIPULATION

By mutual agreement and understanding, the Arizona Board of Osteopathic Examiners (hereafter "Board") and Eugene H. Pardi, D.O. (hereinafter "Respondent"), the parties hereto agree to the following disposition to this matter.

1. Respondent acknowledges that he has read this Consent to Entry and the attached Order; and Respondent is aware of and understands the content of these documents.

2. Respondent understands that by entering into this Consent, he voluntarily relinquishes any rights to a hearing on the matters alleged as grounds for Board action or to seek judicial review of the consent order in state or federal court.

3. Respondent understands that, by his testimony at the hearing on December 13, 2003, this Order was effective that date.

4. Respondent further understands that this Consent Order, once signed, shall constitute a public record which will be reported to the public, the National Practitioners Data Bank, the Federation of State Medical Boards, and, if appropriate, to other agencies as required by A.R.S. §§ 32-1855 (J) and (K).

5. Respondent acknowledges and accepts the statement of facts and conclusions of law contained in the Consent Order.

6. All admissions made by Respondent are solely for final disposition of this matter and any subsequent administrative proceedings or litigation involving the Board, Respondent and the State of Arizona; and, therefore, said admissions by Respondent are not intended for any other purpose or administrative regulatory proceeding or litigation in another state or federal court.

REVIEWED AND ACCEPTED this 26 day of ^{March}~~January~~ 2004.

EHP

EHP

Eugene H. Pardi, D.O.

STATE OF ARIZONA)

) ss

County of Maricopa)

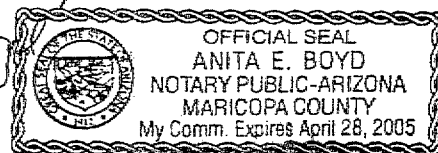
This instrument was acknowledged before me this 26 day of ^{March}~~January~~, 2004 by the above-named individual.

My Commission expires:

4/28/2005

Anita E. Boyd
Notary Public

Anita E. Boyd



REVIEWED AND SIGNED this 31st day of ^{March}~~January~~, 2004 for the Board by:

Elaine LeTarte

Elaine LeTarte, Executive Director
Arizona Board of Osteopathic Examiners
in Medicine and Surgery

IN THE MATTER OF:)	
)	
EUGENE H. PARDI, D.O.)	FINDINGS OF FACT
Holder of License No. 2221 for the)	CONCLUSIONS OF LAW AND
practice of osteopathic medicine in the)	ORDER ACCEPTING SURRENDER
State of Arizona.)	OF LICENSE
)	
)	Case No. 2986

On December 13, 2003, the Board conducted the hearing. The State was represented by Blair Driggs, Asst. Attorney General. Respondent was present. The State and Respondent presented a motion that the Board accept the Surrender of the Respondent's license, in resolution of the matter. Having considered the evidence and having heard the arguments, the Board entered the following Findings of Fact, Conclusions of Law, and Order Accepting Surrender.

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2. Respondent is a licensee of the Board and the holder of License No. 2221 for the practice of osteopathic medicine in the State of Arizona.

3. On October 25, 2003, in a public meeting, the Board summarily suspended Respondent's license, finding that his substance abuse and impairment posed an immediate threat to the health and welfare of the public. The Board had summarily suspended Respondent's license under similar circumstances on six earlier occasions: September 9, 1986, November 3, 1986, November 8, 1989, September 14, 1994, November 29, 1996, and August 20, 2001.

4. On or about December 17, 2002, the Board issued a Second Amended Order of probation to Respondent, which included and expanded on the terms of the Amended Board Order for Probation effective February 6, 2002 and the Order of Probation effective December 8, 2001. The Board had ordered Respondent's license to be on probation to monitor his compliance with substance abuse treatment and recovery on five earlier occasions: October 10, 1986, January 9, 1987, July 20, 1990, May 15, 1995, and July 24, 1998.

5. On seven occasions, August 10, 12, 21, 24, and 27, 2003, and October 18 and 19, 2003, Respondent presented to five different doctors at two different urgent care centers for relief of pain from kidney stones. Respondent failed to provide a copy of his probation order or to otherwise disclose his history of drug addiction to any of these treating physicians. On his October 19, 2003 visit, Respondent did not check the area on the Patient History form to show he had a history of drug addiction/dependency.

6. During the meeting on October 25, 2003, Respondent told the Board he had gone to the urgent care centers seeking narcotics to relieve his pain, and thought that the doctors would not prescribe him narcotics if he told them of his addiction.

7. Respondent failed to provide a copy of his order to his treating physician (Dr. Robert Allen) or to the two specialists to whom his treating physician referred him for specialized diagnostic testing. Respondent also failed to inform his primary care physician or specialists of his drug addiction in the medical / social history he reported to them.

8. On October 27, 2003 Respondent presented to the emergency room of a local hospital for relief of pain related to kidney stones. Respondent failed to provide the emergency room doctor or physician's assistant with a copy of the Order, or to inform them of his drug addiction in the history he reported to them. Respondent was given morphine at the hospital, and written a prescription for narcotics (Hydrocodone) upon discharge.

9. On October 28, 2003 Respondent told the Board's Executive Director that he had not provided a copy of the Order, or included his addiction in the history he gave at the emergency room because the physician's assistant who was treating him was a participant in Respondent's self-help group and therefore knew of Respondent's addiction.

10. On October 12, 2003, Respondent wrote a prescription for a controlled substance (Vicodin ES) for a member of his immediate family (N.P.), on a prescription pad from his place of employment, and impersonated Dr. Chloupek by writing his signature and DEA number on the prescription. The prescription was picked up from the pharmacy on October 13, 2003.

11. During the meeting on October 25, 2003, Respondent told the Board that he written the prescription described in paragraph 13, above.

12. On September 21, 2003, Respondent wrote a prescription for a controlled substance (Vicodin ES) for a member of his immediate family (N.P.). Respondent impersonated Dr. Chloupek by using his pre-printed prescription form, signature and DEA number. The prescription was picked

up from the pharmacy on September 24, 2003.

13. On October 15, 2003, Respondent wrote a prescription for himself for a controlled substance (Percocet), on a pre-printed prescription form from Respondent's place of employment. Respondent impersonated Dr. Chloupek by using his signature and DEA number on that prescription. The prescription was picked up from the pharmacy on October 16, 2003.

14. On October 8, 2003, Respondent called in a prescription for himself for a controlled substance (Hydrocodone), impersonating Dr. Chloupek by using his name and DEA number. The prescription was picked up from the pharmacy October 8, 2003.

15. Dr. Chloupek denied writing or calling in the prescriptions described in paragraphs 10, 12, 13, and 14, above.

CONCLUSIONS OF LAW

16. The conduct described above in paragraphs 3, 4, and 10 through 15 constitutes unprofessional conduct as defined at ARS § 32-1854:

(22) Using controlled substances or prescription-only drugs unless they are provided by a medical practitioner, as defined in section 32-1901, as part of a lawful course of treatment.

17. The conduct described above at paragraphs 10 through 15 constitutes unprofessional conduct as defined at ARS § 32-1854:

(5). Prescribing, dispensing or administering controlled substances or prescription only drugs for other than accepted therapeutic purposes.

(7) Impersonating another physician.

(15) Knowingly making any false or fraudulent statement, written or oral, in connection with the practice of medicine, except as same may be necessary for accepted therapeutic purposes.

(23) Prescribing controlled substances to members of one's immediate family

unless there is no other physician available within fifty miles to treat a member of the family and an emergency exists.

18. The conduct described above at paragraphs 3 through 15 constitutes unprofessional conduct as defined at ARS § 32-1854:

(26) Violating a formal order, probation or a stipulation issued by the Board under this chapter, to wit, terms 3, 5, and 11 of the December 8, 2001 Order.

(41). Any conduct or practice that impairs the licensee's ability to safely and skillfully practice medicine or that may reasonably be expected to do so.

ORDER

Based on the above, **THEREFORE, IT IS HEREBY ORDERED**, pursuant to A.R.S. § 32-1855(N), the AZ Board of Osteopathic Examiners accepts the **SURRENDER** of Respondent's license to practice osteopathic medicine, effective December 13, 2003.

ISSUED this 31st day of March 2004.

ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

By: Elaine LeTarte
Elaine LeTarte, Executive Director
9535 E. Doubletree Ranch Rd.
Scottsdale AZ 85258-5539

Served by U.S. certified mail
this 31st day of January, 2004 to:

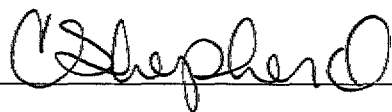
Eugene Pardi, D.O.
1925 E. Winchcomb Drive
Phoenix AZ 85022

Copies to:

Blair Driggs
Assistant Attorney General
Office of the Attorney General / LES
15 South 15th Avenue, 3rd floor
Phoenix AZ 85007

Drug Enforcement Administration
Attention: Diversion Section
3010 N. 2nd St
Phoenix AZ 85012

United States District Court
District of Arizona
Attn: Mike Wimmer, U.S. Probation Officer
4000 N. Central Avenue, Ste 2300
Phoenix AZ 85012

A handwritten signature in cursive script, appearing to read "C. Shepherd", is written over a horizontal line.